

REMARKS

This Amendment, filed in reply to the Office Action dated March 16, 2006, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-7 remain pending the application. Claims 1-5 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Akagi (U.S.P. 6,931,421). Claims 6 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akagi in view of Tipirneni (U.S. Publication 2004/0257608). Applicant respectfully submits the following arguments in traversal of the prior art rejections.

Applicant's invention relates to an image processing apparatus for associating identification (examination) information with an image. In a conventional image forming device, identification information for an image is obtained from the identification image produced on the radiation image itself. This identification information is obtained by optical character recognition. Therefore, the amount of data that becomes associated with the image is limited. If there are any defects in the operation of the character reader, the data may also be inaccurate.

Applicant's invention overcomes these deficiencies. An exemplary embodiment comprises obtaining of examination information by operator input or by magnetic card reading, which includes patient information, examination department, examined region and other information. This information is registered in a server. When the image information is taken, it

becomes merged with the examination information, and subsequently becomes transferred to a data processing apparatus. At the data processing apparatus, the examination information is compared with the examination information locally stored and only data is not previously stored becomes written to the data processing apparatus.

Turning to the cited art, Akagi relates to maintaining the order information for a medical imaging procedure. In this regard, the order information transmitted by a server becomes compared with the order information stored at a local database, and becomes updated at the local database as necessary. The reference does not discuss processing of the resulting medical image in relation to the order information once the resulting image is obtained.

Tipirneni relates to remote analysis of medical images by a physician via a computer network.

The Examiner contends that Akagi teaches each feature of claim 1. In this regard, the Examiner only considers the database for storing examination information and the comparing device. However, claim 1 further includes recitations of a server and a data processing apparatus. The data processing apparatus merges data of an image obtained by a medical imaging apparatus and examination information in a predetermined format. Akagi does not specifically teach aspects of the claim, such as merging of the medical image and the examinational data into a predetermined format.

Applicant submits that in this situation, recitations of “said examinational information data” and “said server” refer back to language in the preamble of the claim. Therefore, this is a

situation where both the preamble and the claim body describe the invention. Any recitations appearing in the preamble must also be taken into account in making a proper rejection. *Bell Communications Research, Inc. v. Vitalink Communications Corp.*, 34 U.S.P.Q.2d 1816, 1820 (Fed. Cir. 1995). Therefore, claim 1 is patentable for at least this reason.

Because claim 5 includes recitations analogous to claim 1, claim 5 is also patentable for the reasons set forth above for claim 1. The remaining claims are patentable based on their dependency.

With further regard to claim 6, the Examiner cites the combination of Akagi and Tipirneni. Claim 6 recites a communication monitoring device connected to the communication link for logging communication data transmitted between the terminal and the server. The Examiner apparently relies on the WEBSTAR program located at the host computer for teaching this feature. However, this program merely controls physician access to websites containing the medical images and logs the physician's internet protocol address. WEBSTAR does not log the data transmitted between the server and the terminal. Therefore, claim 6 is patentable for at least this reason. Claim 7 is patentable for analogous reasons.

Applicant adds claims 8-12 to describe features of the invention more particularly.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No.: 10/665,140

Attorney Docket No.: Q77096

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

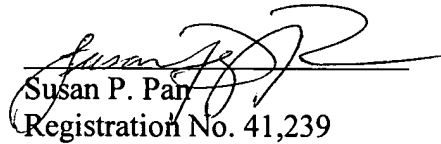
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Date: June 14, 2006